

AFFIDAVIT OF SERVICE ON A CORPORATION BY THE SECRETARY OF STATE

State of New York

U. S. District Court

Southern Dist. County

Trustees of the Bricklayers and Allied Craftworkers, Local 5 New York Retirement; et al Plaintiff

against

Gemini Contracting, Inc. and Joseph P. Bernabo, Individually

Defendant

STATE OF NEW YORK)
COUNTY OF ALBANY) SS
CITY OF ALBANY)**DESCRIPTION OF PERSON SERVED:**

Approx. Age: 45 Yrs.

Weight: 120 Lbs. Height: 5' 0" Sex: Female Color of skin: White

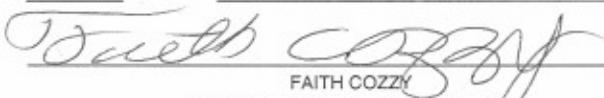
Hair color: Brown Other: _____

Robin Brandow, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on April 14, 2008, at 11:40 am, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed Summons, Complaint, Judge's Indiv. Rules, Instructions, Procedures and Guidelines for Electronic Filing on Gemini Contracting, Inc., the Defendant in this action, by delivering to and leaving with Carol Vogt, AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40.00 dollars; That said service was made pursuant to Section BUSINESS CORPORATION LAW §306.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Sworn to before me on this

14th day of April, 2008



FAITH COZZY
NOTARY PUBLIC, State of New York
No. 01CO6158874, Albany County
Commission Expires Jan 8, 2011



Robin Brandow

Invoice•Work Order # 0807151